

HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.8094 of 2006

Dt.21.4.2006

Between:

AkhterBegum ... Petitioner

And

The Mandal Revenue Officer,

Balanagar Mandal, Ranga Reddy

District and others

...Respondents

ORDER:

This writ petition is filed seeking writ of mandamus to direct the respondents to act in accordance with law and forbear from demolishing the house property of the petitioner bearing H.No.14-1-97/3/21, Plot No.21 in Sy.No.38 admeasuring 200 sq.yards situated at Allapur Old Village, Balanagar Mandal, Ranga Reddy District, without following the due process of law.

The petitioner is the absolute owner and possessor of house property bearing premises No.14-1-97/3/21, Plot No.21 in Sy.No.38 admeasuring 200 sq.yards situated at Allapur Old Village, Balanagar Mandal, Ranga Reddy District, having obtained the same vide registered gift settlement deed dated 15.4.2006. It is stated that the Mandal Revenue Officer, Balanagar Mandal, informed that part of the house property was going to be demolished for the purpose of providing alignment to the Nala, which is situated on the Northern side. It is stated that no notice has been issued and no proceedings have been initiated for acquiring the said land.

Heard the learned counsel for the petitioner and the learned Government Pleader on behalf of the respondents.

I am not inclined to express any opinion whether the petitioner as a tenant has got right and title over the said property. However, if any property of private individual is coming in the way of providing alignment to the Nala, it is open for the respondents to acquire the same either by way of initiating land acquisition proceedings or by following due process of law and without following the due process of law the respondents cannot dispossess the petitioner from any portion of the said property. Accordingly, the respondents are directed not to demolish or dispossess the petitioner from any portion of the property in question if there is no dispute with regard to his title without following the due process of law.

The writ petition is disposed of accordingly. No costs.

V.ESWARAIAH, J.

21.4.2006

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